

EXHIBIT C

Nash, Anne

From: Larson, J.T.
Sent: Tuesday, February 11, 2020 10:48 AM
To: André Rouviere
Cc: Asfendis, Paul E.; Eaton, Joe; Jodi Rouviere
Subject: RE: [EXTERNAL]ROUVIERE V DEPUY - Persons with most knowledge
Attachments: 20200127124910.pdf

Good morning, Andre:

I'm writing in response to your letter from last Friday. We respectfully disagree that you have not heard at all from DePuy regarding the requested 30(b)(6) deposition. My January 27, 2020 letter regarding various issues with Plaintiffs' written discovery explicitly addressed both Plaintiffs' Requests for Admissions and requested categories of corporate witness testimony. I've attached that letter again here for your reference. Despite these issues you have refused to withdraw the irrelevant requests for admissions. As a compromise to this discovery impasse, DePuy will respond to Plaintiffs' Requests for Admissions as phrased and not seek court intervention to address the violations of Rule 26, with the understanding that Plaintiffs will limit the categories of corporate testimony to the relevant issues.

To that end, we advised you in person and in our meet and confer telephone conferences that we would propose categories from your proposed list of categories that address the issues in the case. Accordingly, please see below a list of categories on which DePuy will prepare and present a witness to testify regarding at Barnes & Thornburg's offices in Fort Wayne, Indiana no later than April 17, 2020:

1. The 510(k) application and approval process for the DePuy Summit Stem.
2. The warnings that accompanied the DePuy Summit Stem on or around August 2012, specifically the Instructions for Use (IFU) and the information contained therein.
3. The Surgical Technique Brochure for the DePuy Summit Stem and the information contained therein.
4. The Design History File for the DePuy Summit Stem and the information contained therein.
5. The history of the performance of the DePuy Summit Stem, including adverse event reports regarding the performance of the DePuy Summit Stem.
6. The packaging, labeling, and marketing of the DePuy Summit Stem.
7. The lack of any recalls initiated regarding the DePuy Summit Stem.
8. The use of the DePuy Summit Stem with components designed, manufactured, and sold by other medical device manufacturers.

These proposed topics address all of the relevant categories of testimony that you have requested, including the product's design, manufacture, warnings, clinical performance, and FDA approval. We will follow-up with you in the coming weeks to set a date and time that works for you and our corporate designee.

J.T.

J.T. Larson

Barnes & Thornburg LLP

11 South Meridian Street, Indianapolis, IN, 46204-3535

Direct: (317) 231-7729 | Mobile: (317) 691-9686 | Fax: (317) 231-7433



Atlanta | Chicago | Dallas | Delaware | Indiana | Los Angeles | Michigan | Minneapolis | Ohio | Washington D.C.

From: André Rouviere <andre@rouvierelawfirm.com>

Sent: Friday, February 7, 2020 4:13 PM

To: Eaton, Joe <Joe.Eaton@btlaw.com>; Larson, J.T. <jt.larson@btlaw.com>; Jodi Rouviere <jodi.jtm@gmail.com>

Subject: [EXTERNAL]ROUVIERE V DEPUY - Persons with most knowledge

Please see the attached correspondence.

Andre A. Rouviere, Esquire
Law Offices of Andre A. Rouviere
4070 Laguna Street
Coral Gables, Florida 33146
Tel: (305)774-7000
Fax: (305)946-6121

PLEASE TAKE NOTE OF OUR NEW ADDRESS

This message contains information that may be privileged or confidential and is the property of the Law Offices of Andre A. Rouviere. It is intended only for the person to whom it is addressed. If you are not the intended recipient, you are not authorized to read, print, retain, copy, disseminate, distribute, or use this message or any part thereof. If you receive this message in error, please notify the sender immediately and delete all copies of this message.